

MEMORANDUM

TO: District Board of Zoning Adjustment

FROM: Paul Goldstein, Case Manager
Joel Lawson, Associate Director Development Review

DATE: September 10, 2013

SUBJECT: BZA No. 18609 – Request for area variances to accommodate an addition to a single family detached dwelling (Square 1757, Lot 27)

I. OFFICE OF PLANNING RECOMMENDATION

OP **recommends approval** of the following area variances to allow minor additions to an existing single family detached dwelling at 4916 Belt Road NW (Square 1757, Lot 27):

- § 403.2, maximum lot occupancy relief (covers 52% of the lot, 40% permitted)
- § 405.9, minimum side yard relief (3.4' and 4.3' provided, 8' required)
- § 2001.3, addition to a non-conforming structure that does not conform to maximum lot occupancy requirements

II. AREA AND SITE DESCRIPTION

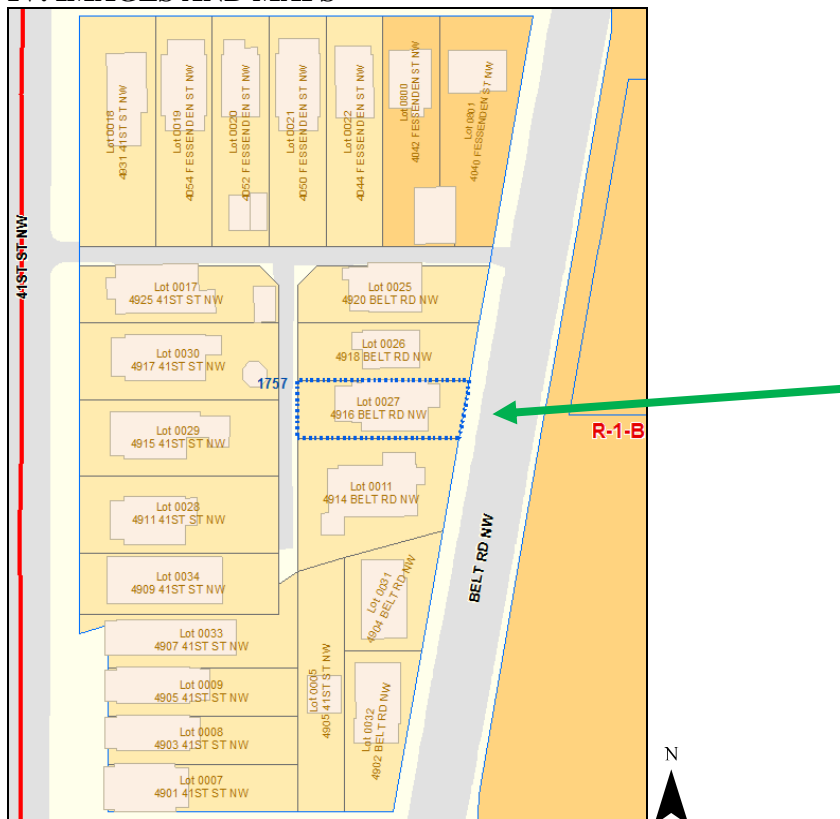
Address:	4916 Belt Road NW
Legal Description:	Square 1757, Lot 27 (hereinafter, the “Property”)
Ward/ANC:	3/3E
Lot Characteristics:	The Property is trapezoidal in shape and measures 2,634 square feet in size. It is approximately 30' wide and 88' deep. The Property borders a 10' wide public alley to the west.
Zoning:	R-1-B: single family detached dwellings
Existing Development:	The Property is improved with a nearly century old two-story detached dwelling. The dwelling is approximately 28' tall measured to the top of the pitched roof. There is a covered front landing and rear deck.
Historic District:	N/A
Adjacent Properties:	The Property is adjacent to detached dwellings to the north and south and, across the alley to the west, faces the back yards of detached dwellings. Across Belt Road to the east is Fort Reno Park.
Surrounding Neighborhood Character:	The Square is characterized by detached dwellings. More generally, the neighborhood is comprised of low density housing types and institutional uses. Wisconsin Avenue, which contains commercial uses, is located about 2 blocks to the west.

III. PROJECT DESCRIPTION IN BRIEF

Applicants:	Ronald Kaplan
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Proposal:	<p>The proposal has two primary components: 1) replace and expand an existing second-story rear sleeping porch; and 2) increase the existing attic's usable space.</p> <p>First, the Applicant indicates that the sleeping porch dates from 1917 and measures approximately 156 square feet in size. The proposal would replace the sleeping porch to better integrate a rebuilt space within the dwelling. At the same time, it would slightly expand in size by about 16 square feet to align the sleeping porch replacement with the dwelling's exterior southern wall and allow additional modernization of the second floor.</p> <p>Second, the proposal would recondition the existing attic to provide additional living space. The attic presently has little usable space. The proposal would replace the existing roof with a new roof with a more accommodating pitch to allow increased headroom and occupiable space. The new roof would increase the dwelling's height by about 3'. Two new dormers also would add additional living space. In total, the project would capture about 40% (or 279 square feet) of the third floor attic as living space.</p> <p>There would be no increase in the non-conforming lot occupancy, but the non-conforming side yards would be vertically extended (but not narrowed).</p>
Relief Sought:	<p>§ 403.2, variance relief from maximum lot occupancy</p> <p>§ 405.9, variance relief from minimum side yards</p> <p>§ 2001.3, variance relief for addition to a non-conforming structure</p>

IV. IMAGES AND MAPS



Aerial view of the subject site (highlighted in blue and identified with arrow)



View of the subject block looking east toward Belt Road NW (Property identified) 2009 photo.

V. ZONING REQUIREMENTS

The following table, which reflects information supplied by the Applicant, summarizes relevant zoning requirements for the project and the relief requested.

<i>R-1-B Zoning</i>	<i>Restriction</i>	<i>Existing</i>	<i>Proposed</i>	<i>Relief</i>
Lot occupancy (building area/lot area) § 403	40% max.	52.5%	52.5%	Non-conforming: no change proposed
Side Yard (ft.) § 405	8' min.	4.3' and 3.4'	4.3' and 3.4'	Non-conforming: side yards would remain the same width but extend vertically
Rear Yard (ft.) § 404	25' min	22'	22'	Non-conforming: no change proposed
Height (ft.) § 400	40' max.	~28' (including roof)	~31' (including roof)	Conforms
Lot width (ft.) § 401	50' min.	~30'	~30'	Non-conforming: no change proposed

VI. RELIEF REQUESTED & OP ANALYSIS

Single family detached dwellings are a permitted use in the R-1-B. They may occupy 40% of a lot by right, and additions are permitted up to 50% lot occupancy by special exception. Since the dwelling already occupies 52.5% of the lot, any building expansion would likely require zoning relief.

Area Variance Relief (§§ 403, 405, and 2001.3)

- Does the property exhibit specific uniqueness with respect to exceptional narrowness, shallowness, shape, topography or other extraordinary or exceptional situations or conditions?

The Property exhibits an exceptional condition that creates a practical difficulty which is unduly burdensome to the owner. The existing dwelling dates from 1917 and the nearly century old sleeping porch is in a dilapidated condition and is not functional. The Applicant indicates that it lacks proper insulation, is drafty, and is poorly constructed, causing it to be used only for storage of items that are not temperature sensitive. In addition, the sleeping porch design has a 2'3" indent on its south side, meaning that the southern wall is not sitting directly on the dwelling's exterior wall below. The dwelling's attic contains little usable space.

- **Does the extraordinary or exceptional situation impose a practical difficulty which is unnecessarily burdensome to the applicant?**

The exceptional situation imposes a practical difficulty which is unnecessarily burdensome to the owner as follows:

Lot occupancy (§§ 403, 2001.3)

The dwelling currently occupies 52.5% of the lot, which exceeds the permitted lot occupancy. Single-story front and rear porches occupy approximately 12% of the lot. The proposed minor additions to the dwelling, however, would be made within the existing conditioned dwelling footprint (not above the porches). As a result, no new lot occupancy would be added to the site and the restored second and third stories would be more conforming to lot occupancy than the ground floor. Complying with the maximum 40% lot occupancy permitted in the R-1-B zone creates a practical difficulty to achieving the minor dwelling upgrades and would require additional demolition in order to meet the lot occupancy limit.

Side yard (§§ 405, 2001.3)

The existing dwelling has non-conforming side yards of 4.3' and 3.4'. The restrained second floor expansion, along with the replacement of the dwelling's roof with an approximately 3' taller version, cause a moderate vertical expansion of the non-conforming side yards. If the additions were made to comply with the minimum side yard requirement, an impractical building form would be created which would likely render even a small expansion unfeasible.

- **Can the relief be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map?**

The proposal should not cause substantial detriment to the public good. The proposed additions would be minor in scope, amounting to an improved and slightly expanded (16 square foot) second floor and 3' increase in dwelling height.

The relief can be granted without substantially impairing the intent, purpose and integrity of the Zoning Regulations and Map. The additions would provide a limited expansion of a nearly century old detached dwelling.

VII. ANC/COMMUNITY COMMENTS

As expressed in a submission associated with its July 11, 2013 meeting, ANC 3E voted unanimously in support of the project. The Applicant also has provided OP with thirteen letters of support from neighbors, including neighbors to the immediate north and south of the Property.